



City of Hampton, VA  
Zoning Notice of Action  
City Council – Regular Meeting

22 Lincoln Street  
Hampton, VA 23669  
[www.hampton.gov](http://www.hampton.gov)

*W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart,  
Donnie R. Tuck, George E. Wallace, Molly Joseph Ward, Mayor*

**Staff:**

*Mary Bunting, City Manager  
Cynthia E. Hudson, City Attorney  
Katherine K. Glass, CMC, Clerk of Council*

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**November 14, 2012, 7:00 p.m.**

TO: City Attorney, City Assessor, Codes Compliance, Economic Development,  
Planning Division, City Engineer and Public Works

**9. 12-0407** Resolution Approving a 20' x 315.8' Utility and Access Easement  
(Totaling 6,316 Square Feet, More or Less) to Global Signal Acquisitions III, LLC on  
City Property Known as Newmarket Creek Canal (LRSN 3001817) Adjacent to  
Francis Mallory Elementary School Located at 331 Big Bethel Road (LRSN  
3003405)

**ACTION:** Approved items 1 through 12 on the consent agenda.

**MOVER:** Councilmember Christopher G. Stuart

**SECONDER:** Vice Mayor George E. Wallace

**AYES:** 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart,  
Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

**NAYS:** 0

**ABSTAIN:** 0

**OUT:** 0

**13. 12-0412** Rezoning Application No. 1294-2011 by SCI Virginia Funeral Services Inc. to rezone a parcel (LRSN 13000760) totaling 14.495+ acres from One Family Residence (R-9) District to Rural Residential (R-R) District with conditions to permit the expansion of an existing cemetery.

**ACTION:** Presented by Donald Whipple, Senior City Planner.

**ACTION:** Held Public Hearing - a joint public hearing was held for 12-0412 and 12-0413. Lawrence G. Cumming, Counsel for the applicant, accompanied by James Stuart, the General Manager of the cemetery, addressed Council.

**ACTION:** Approved - subject to 9 conditions.

**MOVER:** Councilmember Christopher G. Stuart

**SECONDER:** Councilmember W. H. "Billy" Hobbs, Jr.

AYES: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

NAYS: 0

ABSTAIN: 0

OUT: 0

**14. 12-0413** Use Permit Application No. 1072-2011 by SCI Virginia Funeral Services Inc. to construct and operate a cemetery on a parcel (LRSN# 13000760) totaling 14.495+ acres located west of the intersection of Vernon Stuart Drive and North Armistead Avenue.

**ACTION:** Presented by Donald Whipple, Senior City Planner.

**ACTION:** Held Public Hearing - a joint public hearing was held for 12-0412 and 12-0413.

**ACTION:** Approved - subject to 3 conditions.

**MOVER:** Councilmember Christopher G. Stuart

**SECONDER:** Councilmember W. H. "Billy" Hobbs, Jr.

AYES: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

NAYS: 0

ABSTAIN: 0

OUT: 0

**15. 12-0414** Rezoning Application No. 1304-2012 by Virginia Health Services, Inc. to rezone 3.43+ acres at 1028 Topping Lane (LRSN 4000567) from Multiple Residence (R-M) District to conditional Neighborhood Commercial (C-1) to expand the building and number of beds permitted for the convalescent center.

**ACTION:** Presented by Michael Hayes, Senior City Planner.

**ACTION:** Held Public Hearing - a joint public hearing was held on 12-0414 and 12-0415. There were no speakers on the item.

**ACTION:** Approved - subject to 9 conditions.

**MOVER:** Councilmember Christopher G. Stuart

**SECONDER:** Councilmember W. H. "Billy" Hobbs, Jr.

**AYES:** 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

**NAYS:** 0

**ABSTAIN:** 0

**OUT:** 0

**16. 12-0415** Use Permit Application No. 1083-2012 by Virginia Health Services, Inc. at 1028 Topping Lane (LRSN 4000567) for the expansion of the existing building and number of beds permitted for the convalescent center.

**ACTION:** Presented by Michael Hayes, Senior City Planner.

**ACTION:** Held Public Hearing - a joint public hearing was held on 12-0414 and 12-0415. There were no speakers on the item.

**ACTION:** Approved - subject to 4 conditions.

**MOVER:** Councilmember Christopher G. Stuart

**SECONDER:** Vice Mayor George E. Wallace

**AYES:** 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

**NAYS:** 0

**ABSTAIN:** 0

**OUT:** 0

**17. 12-0410** Conditional Privilege Application No. 130-2012: Proposal by Phoebus Investors, LLC c/o John W. Boone to provide live entertainment within an existing restaurant at 24 N. Mallory Street (LRSN 12001982).

**ACTION:** Presented by Tamaria Green, City Planner.

**ACTION:** Held Public Hearing - there were no speakers on the item.

**ACTION:** Approved - subject to 10 conditions.

**MOVER:** Councilmember Christopher G. Stuart

**SECONDER:** Vice Mayor George E. Wallace

**AYES:** 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

**NAYS:** 0

**ABSTAIN:** 0

**OUT:** 0

18. 12-0411 Conditional Privilege Application No. 131-2012: Proposal by Tiffany Barber & Kimberly Williams T/A Mom's Tot Spot CDC, to operate a Day Care 3 for up to 89 children at 502B Woodland Road [LRSN 11001717].

**ACTION:** Presented by Alison Alexander, City Planner.

**ACTION:** Held Public Hearing - there were no speakers on the item.

**ACTION:** Approved subject to 10 conditions.

**MOVER:** Vice Mayor George E. Wallace

**SECONDER:** Councilmember Christopher G. Stuart

AYES: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

NAYS: 0

ABSTAIN: 0

OUT: 0

23. 12-0395 Resolution authorizing amendments to the Hampton Roads Center and Hampton Urban Enterprise Zone boundaries pursuant to the Virginia Enterprise Zone Act.

**ACTION:** Held Public Hearing - Mike Koontz, President of the Virginia Peninsula Chamber of Commerce spoke in favor of this item. Guian Fernandez had questions on the item which were address by Michael Yaskowsky, Acting Director of Economic Development. During this item, the Mayor took a 10 minute recess at 8:11 p.m. to allow those citizens present to ask questions of Mr. Yaskowsky.

**ACTION:** Approved

**MOVER:** Councilmember Christopher G. Stuart

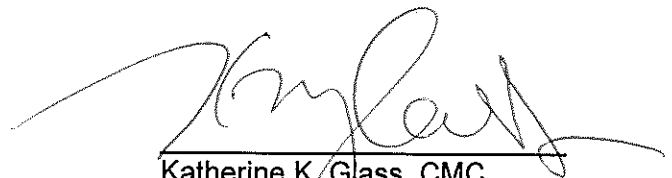
**SECONDER:** Vice Mayor George E. Wallace

AYES: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

NAYS: 0

ABSTAIN: 0

OUT: 0



Katherine K. Glass, CMC  
Clerk of Council